



issued an Amended Scheduling Order on June 19, 2013, re-setting this case for trial on October 21, 2013. Dkt. No. 26. On October 10, 2013, the Parties jointly moved for a trial continuance based upon the fact that settlement was imminent. Dkt. No. 27. The Court issued a Second Amended Scheduling Order on October 15, 2013. Dkt. No. 28.

III.

The parties have settled this case. Plaintiffs have agreed to dismiss this lawsuit with prejudice within five (5) business days of their receipt of the full consideration due and owing under the Agreement. The last payment is currently schedule to be made on or before February 18, 2014.<sup>1</sup> The Parties therefore request that the Court abate this lawsuit pending completion of the payments due and owing under the Agreement.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANTS**

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<sup>1</sup> Defendants maintain that they have made certain payments to the United States Department of Labor ("DOL") on behalf of the Plaintiffs. The parties have agreed to contact the DOL and use their best efforts to obtain such funds from the DOL. Any funds recovered from the DOL will be credited against the amounts owed under the Agreement.

EQUAL JUSTICE CENTER

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**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

On November 1, 2013, I electronically submitted the foregoing document with the Clerk of the Court of the United States District Court for the Western District of Texas, using the electronic case filing system of the Court. I hereby certify that I have served all counsel and/or pro se parties of record electronically using the CM/ECF filing system or by any other manner authorized by Federal Rule of Civil Procedure (5)(b)(2).

/s/ Keith M. Remels

Keith M. Remels